



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)	
)	FOR: TRICEPS DIP EXERCISE
RANDALL T. WEBBER, ET AL.)	MACHINE
)	
Serial No.: 10/698,908)	Group
)	Art Unit: Unknown
Filed: October 31, 2003)	

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Examiner

Dear Sir:

Applicants submit herewith references of which they are aware, which they believe may be material to patentability of the invention disclosed and claimed in the above-cited application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on:

January 28, 2004
(Mailing Date)

Linda Thompson
(Typed Name)

Linda Thompson
(Signature)

January 28, 2004
(Date of Signature)

Applicants are submitting herewith copies of the references which are set forth on the attached Form PTO/SB/08A. As all relevant parts of the references are in the English language, no explanation of the references is provided herein.

This Information Disclosure Statement is submitted within three (3) months of the filing date of the above-cited application or of the date of entry into the national phase of the application or prior to the mailing date of a first Office Action thereon, whichever has occurred last, such that no fee is required.

Further, while the references provided in this Information Disclosure Statement may be material to patentability pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specifically designated as such.

Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

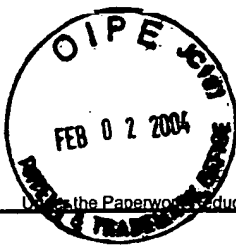
Respectfully submitted,

Dated: January 28, 2004 By: Katherine Proctor
Katherine Proctor
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Docket No.: 5767-PA27



PTO/SB/21 (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/698,908	
	Filing Date	10/31/2003	
	First Named Inventor	Randall T. Webber	
	Art Unit	Unknown	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	766	Attorney Docket Number	5767-PA27

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Katherine Proctor (Reg. No. 31,468)
Signature	<i>Katherine Proctor</i>
Date	01-28-2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Linda Thompson		
Signature	<i>Linda Thompson</i>	Date	01-28-2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/698,908
				Filing Date	October 31, 2003
				First Named Inventor	Randall T. Webber
				Group Art Unit	Unknown
				Examiner Name	Unknown
Sheet	1	of	4	Attorney Docket Number	5767-PA27
U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
		248,121		E.A. Tuttle	10-11-1881
		2,252,156		J. D. Bell	08-12-1941
		3,446,503		D.C. Lawton	05-27-1969
		3,592,465		Fred Fulkerson, Jr.	07-13-1971
		3,640,528		Richard Proctor	02-08-1972
		3,707,285		Robert M. Martin	12-26-1972
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		4,231,568		Robert Q. Riley, et al.	11-04-1980
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		4,743,010		Alexander Geraci	05-10-1988
		4,793,608		Parker E. Mahnke, et al.	12-27-1988
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		4,949,951		James A. Deola	08-21-1990
		5,011,139		Carl K. Towley, III	04-30-1991
		5,050,873		Gary A. Jones	09-24-1991
		5,106,081		Gregory M. Webb	04-21-1992
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		5,263,914		Roy R. Simonson, et al.	11-23-1993
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		5,322,489		Gregory M. Webb, et al.	06-21-1994
		5,330,405		Theodore C. Habing, et al.	07-19-1994
		5,334,120		Aaron P. Rasmussen	08-02-1994
Examiner					Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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				Group Art Unit	Unknown
				Examiner Name	Unknown
Sheet	2	of	4	Attorney Docket Number	5767-PA24
U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
		5,342,269		Richard Huang, et al.	08-30-1994
		5,346,447		Kenneth W. Stearns	09-13-1994
		5,356,357		Leao Wang, et al.	10-18-1994
		5,421,796		Arthur A. Jones, et al.	06-06-1995
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		5,447,480		Kent Fulks	09-05-1995
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		5,749,813		Ken Domzalski	05-12-1998
Examiner					Date Considered

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				First Named Inventor	Randall T. Webber
				Group Art Unit	Unknown
				Examiner Name	Unknown
Sheet	3	of	4	Attorney Docket Number	5767-PA24
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Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
		5,803,882		Douglas J. Habling, et al.	09-08-1998
		5,810,701		Patrick D. Ellis, et al.	09-22-1998
		5,876,095		Gary L. Johnston	03-02-1999
		5,967,954		Theodore J. Habling	10-19-1999
		6,071,216		Raymond Giannelli, et al.	06-06-2000
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		6,254,516	B1	Raymond Giannelli, et al.	07-03-2001
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		6,387,020	B1	Roy Simonson	05-14-2002
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		6,605,024	B2	Kenneth W. Stearns	08-12-2003
Examiner					Date Considered

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/698,908
				Filing Date	October 31, 2003
				First Named Inventor	Randall T. Webber
				Group Art Unit	Unknown
				Examiner Name	Unknown
Sheet	4	of	4	Attorney Docket Number	5767-PA24
OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
		Boss Fitness Brochure, 1993			
		Hammer Strength, Hammer Brochure, 1993			
		FS-403 Shoulder Press, Flex Brochure, 1995			
		Paramount Advanced Performance System - Leg Press AP - 2800 (brochure dated 2000)			
		08003 Rower, Gym 80 Brochure, 2001			
		Gym 80 Brochure, 2001			
		Leg Press, Cybex International Brochure, 2002			
		Gravity Gym Instruction Manual, date unknown			
		Flex Fitness Brochure, date unknown			
		Spirit Circuit, Hogan Industries Brochure, date unknown			
		Pace, Henley International Brochure, date unknown			
		FA-508 Dip Machine, Flex Brochure, date unknown			
		Spirit, Hogan Industries Brochure, date unknown			
		Models 217 and 206-2, Polaris Brochure (date unknown)			
		Schwinn Natural Strength, Schwinn Magazine advertisement, date unknown			
		S202 Rigid Arm Lat Pulldown, Hoist Fitness Systems Customer Catalog, 1995			
		Polaris Brochure, Model 215 Shoulder Press, date unknown			
Examiner				Date Considered	

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